

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

UNITED STATES SECURITIES AND EXCHANGE COMMISSION)	
)	13-cv-982
Plaintiff,)	Honorable Judge Amy J. St. Eve
v.)	Magistrate Judge Mary M. Rowland
A CHICAGO CONVENTION CENTER LLC, ANSHOO R. SETHI, and INTERCONTINENTAL REGIONAL CENTER TRUST OF CHICAGO, LLC)	
Defendants.)	

**PROPOSED INTERVENORS' MOTION
FOR LEAVE TO FILE EXHIBIT TO MOTION TO INTERVENE UNDER SEAL**

Proposed Intervenors John Does 1 – 90 (the “Proposed Intervenors”), by and through their undersigned counsel and pursuant to Federal Rule of Civil Procedure 26 and Local Rules 5.8 and 26.2, respectfully move this Court for leave to file under seal Exhibit A to their Motion to Intervene. In support of their motion to seal, the Proposed Intervenors state as follows:

1. Pursuant to Local Rule 26.2, the Court may, for good cause shown, enter an order directing that one or more documents be sealed.
2. Upon entry of such an order from the Court, Proposed Intervenors intend to file under seal Exhibit A to their Motion to Intervene – a motion filed concurrently with this motion to seal. Exhibit A is a list of the names of the “John Does” who seek to intervene in this action.
3. As further outlined in their Motion to Intervene, Proposed Intervenors seek to intervene in the Securities and Exchange Commission’s (the “SEC”) action before this Court against the Defendants for, *inter alia*, securities fraud in the main action. The SEC alleges that

the Defendants engaged in an illegal scheme over the past 18 months to exploit a federal visa program as a means to defraud investors, including the Proposed Intervenors, all of whom are foreign investors.

4. Proposed Intervenors seek to intervene to demonstrate their interest in and entitlement to the funds that they paid into escrow or alternatively, that to the extent the Defendants have any interest in such funds they hold such interest as constructive trustees. Proposed Intervenors also seek to intervene because they stand to lose their chances at U.S. citizenship if the Court does not act to protect their interests when it fashions any relief in this matter. Intervention will enable the Proposed Intervenors to direct the escrow agent to invest their funds in a legitimate investment, and thereby keep them on track to gain U.S. citizenship.

5. The Court may seal any part of the record of a case for good cause. *Citizens First Nat. Bank of Princeton v. Cincinnati Ins. Co.*, 178 F.3d 943, 944 (7th Cir. 1999). In making its determination, the Court should evaluate whether an interest in secrecy outweighs the public's interest in maintaining open judicial proceedings. *Jessup v. Luther*, 277 F.3d 926, 928 (7th Cir. 2002). Among other reasons, an interest in the privacy and safety of vulnerable individuals has prevailed over an interest in publicity. See, e.g., *id.*

6. Proposed Intervenors have invested in the federal visa program at issue in this case in order to immigrate into the United States and gain U.S. citizenship. Were these efforts to fail, the Proposed Intervenors face real and significant risks of reprisal from the governments of their countries of origin. Indeed, the SEC has implicitly recognized the need to protect the identity of the Proposed Intervenors, filing only partial investor names in support of its motion for a temporary restraining order. (See Dkt. No. 10, Ex. 1.) Accordingly, the Proposed

Intervenors request that their names be kept under seal throughout the course of this litigation should they be allowed to intervene – identified only as “John Does 1 – 90.”

7. Proposed Intervenors therefore seek leave to file Exhibit A to their Motion to Intervene under seal. If this Court grants their Motion to Intervene, furthermore, the Proposed Intervenors will seek leave to file a protective order requiring redaction of their names for any filings with the Court.

WHEREFORE, Proposed Intervenors respectfully move this Court for leave to file under seal Exhibit A to their Motion to Intervene. Pursuant to Local Rule 26.2, Proposed Intervenors respectfully request that only the Court and its personnel have access to these documents, and that the documents remain under seal at the conclusion of the litigation.

Dated: March 6, 2013

By: s/ Stephen J. Landes
An Attorney for Proposed Intervenors

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CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on March 6, 2013, a true and correct copy of the foregoing **Proposed Intervenors' Motion for Leave to File Exhibit to Motion to Intervene Under Seal** was filed with the Clerk of the Court for the United States District Court, Northern District of Illinois, using the CM/ECF system, which will send notification of such filing to the all parties of record.

s/William R. Lee